

CV 12 5697

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U.S. DISTRICT COURT E.D.N.Y.

★ NOV 13 2012 ★

LONG ISLAND OFFICE

FEUERSTEIN, J

WALL, M.J.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

Robert T. Pemberton,
Full name of plaintiff/prisoner ID#

X
PIN# 212517

Plaintiff,

JURY TRIAL DEMAND
YES NO

-against-

Franco P. Frantellizzi
Mario Castano
Matthew DiNizio et al

Enter full names of defendants

[Make sure those listed above are
identical to those listed in Part III.]

Defendants.

X

I. Previous Lawsuits:

- A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment? Yes () No ()
- B. If your answer to A is yes, describe each lawsuit in the space below
(If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiffs: _____

Defendants: _____

2. Court (if federal court, name the district;
if state court, name the county)

3. Docket Number: _____

4. Name of the Judge to whom case was assigned: _____

5. Disposition: (for example: Was the case dismissed? Was it appealed? Is it still pending?)

6. Approximate date of filing lawsuit: _____

7. Approximate date of disposition: _____

II. Place of Present Confinement: RIVERHEAD CORRECTIONAL FACILITY

A. Is there a prisoner grievance procedure in this institution? Yes () No ()

B. Did you present the facts relating to your complaint in the prisoner grievance procedure? Yes () No ()

C. If your answer is YES,

1. What steps did you take? _____

2. What was the result? _____

D. If your answer is NO, explain why not SUFFOLK COUNTY POLICE
Illegally Arrested me and kept Unlawfully held me

E. If there is no prison grievance procedure in the institution, did you complain to prison authorities? Yes () No ()

F. If your answer is YES,

1. What steps did you take? _____

2. What was the result? _____

III. Parties:

(In item A below, place your name in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

A. Name of plaintiff Robert T. Remondow

Address 133 Cedar Lane, Medford, N.Y. 11763

(In item B below, place the full name and address of each defendant)

B. List all defendants' names and the addresses at which each defendant may be served. Plaintiff must provide the address for each defendant named.

Defendant No. 1

Franco P. Frantellizzi

SUFFOLK Cty 6th Pet. Det.

Defendant No. 2

Mario Castano

SUFFOLK Cty 6th Pet. Det.

Defendant No. 3

William L. Vasquez

30 Franklin Ave Police Headquarters

Defendant No. 4

Matthew DiNizio

Defendant No. 5

Warden Charles Ewald

c/o: American Correctional Facility

110 Carter Drive, Riverhead, N.Y. 11901

[Make sure that the defendants listed above are identical to those listed in the caption on page 1].

IV. Statement of Claim:

(State briefly and concisely, the facts of your case. Include the date(s) of the event(s) alleged as well as the location where the events occurred. Include the names of each defendant and state how each person named was involved in the event you are claiming violated your rights. You need not give any legal arguments or cite to cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. You may use additional 8 1/2 by 11 sheets of paper as necessary.)

Weзу Deliberate Indifference AND Malicious Intent
THE DEFENDANTS INDIVIDUALLY AND CONSPIRATORIALLY CHARGED
ME WITH SALES (2) OF CRACK COCAINE AT 7 DIFFERENT
ADDRESSES, ONE OF WHICH IS AN IMPOSSIBILITY AND IS KNOWN
TO BE AN "Alleged" Drug Arrestee Residence ALSO NAMED
"Pete". Purposfully Arresting me because of my name.

Note Two (2) Drug Sales with no Drug Possession charges
And No Co-Defendants and this Arrest Happening @ (8)
Eight Months later.

IV. A If you are claiming injuries as a result of the events you are complaining about, describe your injuries and state what medical treatment you required. Was medical treatment received?

Anxiety, Mental Anguish, Fear of Retaliation including
Manufactured Dry Suits and/or Paddocks etc...

Loss of Property which was stolen while I was in
custody.

V. Relief:

State what relief you are seeking if you prevail on your complaint.

Compensatory Damages	1.5 million Dollars \$ 1,500,000.00
Punitive Damages	\$ 500,000.00
Monetary Damages	\$ 250,000.00

I declare under penalty of perjury that on 11/13/12, I delivered this
(Date)
complaint to prison authorities to be mailed to the United States District Court for the Eastern
District of New York.

Signed this 13th day of November, 2012. I declare under penalty of
perjury that the foregoing is true and correct.

Kelvin Pennington
Signature of Plaintiff

Riverhead Correctional Facility
Name of Prison Facility

133 Cedar Ln., Medlock
N.Y., 11901
Address

Z12517
Prisoner ID#